

REMARKS

In a previous Response 18 May 2004, Affidavits under 37 CFR 1.131 were supplied to show that subject matter disclosed and now claimed in the present application was reduced to practice and successfully tested for compliance with its intended purpose in August, 2000, before the effective date, April 24, 2001, of the reference upon which a 35 USC § 102(e) rejection has been made.

Said Affidavits failed to contain a statement that the acts relied upon to establish the date prior to the reference were carried out in this country or a NAFTA or WTO country. In a conversation between Examiner Beisner and the undersigned on or about June 17, 2004, it was agreed that Supplemental Affidavits stating that the acts relied upon to establish the date prior to the reference were in fact carried out in this country would be sufficient. Because the joint inventors reside in three different states, it was necessary to have three identical Supplemental Affidavits executed and they are included with this communication. It is thus believed that the rejection under paragraph (e) of 35 USC § 102 is improper and it is respectfully requested that the rejection be withdrawn.

Conclusion

Applicant believes that this application contains patentable subject matter and that the foregoing amendments and explanation provide a basis for favorable consideration and allowance of all claims; such allowance is respectfully requested. If any matter needs to be resolved before allowance, the Examiner is encouraged to call Applicant's representative at the number provided below.

Respectfully submitted,



Leland K. Jordan
Registration No. 36,560
Agent for Applicant
(610) 255-1441

Dade Behring Inc.
1717 Deerfield Road
P. O. Box 778
Deerfield, IL 60015-778